



Docket No.: V9661.0074

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Hsiang-Fu Kung et al.

Confirmation No.: 2232

Application No.: 10/801,648

Art Unit: 1633

Filed: March 17, 2004

Examiner: R. M. Kelly

For: COMBINED ADENO-ASSOCIATED VIRUS
AND ADENOVIRUS COCKTAIL GENE
DELIVERY SYSTEM FOR HIGH
EFFICIENCY GENE EXPRESSION
WITHOUT ELICITING IMMUNE RESPONSE
IN IMMUNO-COMPETENT SUBJECTS

January 22, 2007
New York, NY

AMENDMENT/SUBMISSION UNDER 37 C.F.R. 1.114

MS RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Final Office Action dated September 20, 2006, finally rejecting claims 13-16, 23-26, 29-33, and 35-47, Applicants amend the above-identified U.S. patent application as follows:

Amendments to the Drawings begin on page 3 of this paper.

Amendments to the Sequence Listing begin on page 4 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks/Arguments begin on page 10 of this paper.

FEE CALCULATION

Any additional fee required has been calculated as follows:

	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	Additional Fee
Total	28	- 45* =		x	0.00
Independent	5	- 10** =		x	0.00
First presentation of Multiple Dependent Claim(s) (if applicable)					0.00
TOTAL					0.00

*not less than 20

** not less than 3

No additional fee is required.

In the event a fee is required or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 CFR 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 CFR 1.135. The fee under 37 CFR 1.17 should be charged to our Deposit Account No. 50-2215.

AMENDMENTS TO THE SEQUENCE LISTING

Applicants submit herewith a substitute Sequence Listing in paper form and in computer readable form (CRF) with the required statement under 37 C.F.R. §§ 1.821-1.825.

In the substitute Sequence Listing, the original SEQ ID NO:1 as filed is reinstated by adding the 323 base pairs at the 5'-end and the 33 base pairs at the 3'-end.

No new matter has been introduced by this amendment.